



SCS Refrigerated Services, LLC

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MAR 17 2010

Environmental
Cleanup Office

March 15, 2010

United States Environmental Protection Agency, Region 10
Claire Hong, Remedial Project Manager
Environmental Cleanup Office, ECL-111
1200 Sixth Ave., Suite 900
Seattle, WA 98101

USEPA SF



1342839

Re: Confidentiality Claim for Documents Submitted on May 23, 2008,
Providing Information pursuant to Section 104(e) of CERCLA for
the Lower Duwamish Waterway Superfund Site, Seattle,
Washington,

Dear Claire Hong,

On February 26, 2010, we received from EPA a request to substantiate our confidentiality claim for the information we provided to the EPA on May 23, 2008, in response to requested information pursuant to Section 104(e) of CERCLA for the Lower Duwamish Waterway Superfund Site in Seattle Washington, for the SCS Refrigerated Services facility located at 303 South River Street.

Although the original response may have been confusing, as it addressed all information provided as proprietary and to be treated as confidential, there were specific items that had been noted to be company confidential (bold face type on original document), or confidential business information, and are as follows:

- Site Activities and Interests, listed as 2.a., addressing ownership and environmental documents and 2.b., addressing seawall blueprints.
- Information About Others, listed as 3.v. addressing moorage tenancy.
- Financial Information, listed as 4.a., addressing federal income tax documents for years 2002 through 2006, and 4.vi., addressing corporate financial statements.
- Insurance Coverage, listed as 5.a.i-viii, addressing insurance coverage information from 1998 through 2007.

As a private company, we believe the aforementioned items should remain confidential business information for as long as the EPA retains the information. Disclosure of the aforementioned information could result in an economic hardship if it became a matter of public record or was to fall within the hands of our industry competitors or the collective bargaining unit.

As addressed in our original response, each item we desired to hold as confidential business information, has **company confidential** listed by it in bold face type. We submitted our information in good faith, believing the confidential portions thereof would indeed be treated as confidential business information, as set forth in 40 CFR § 2.205(c). If this is not sufficient to hold this information as confidential business information, please direct me in the appropriate method by which to accomplish our intent to keep the aforementioned business information we provided private.

Sincerely,

A handwritten signature in black ink, appearing to read "Anita Lydiard", written in a cursive style.

Anita Lydiard
VP Human Resources,
Safety & Compliance